



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

ELI LILLY AND COMPANY

By Lisa Cappa Date December 21, 2005

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U. S. Patent No. : 6,977,077  
Issued: December 20, 2005  
First Applicant : Hock; Janet M.  
Serial No. : 09/647,278  
Application Date : September 26, 2000  
Entitled : Method of increasing bone toughness and stiffness  
and reducing fractures  
Docket No. : X-11965

*Certificate  
JAN 04 2006  
of Correction*

REQUEST FOR CERTIFICATE OF CORRECTION  
UNDER 37 C.F.R. 1.322

ATTN: CERTIFICATE OF CORRECTION BRANCH  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Patentee of the above-identified patent respectfully requests issuance of a Certificate of Correction, pursuant to 37 C.F.R. 1.323, to correct an error in the printing of Claim 1 of the patent. The Patentee respectfully asserts that the error in printing Claim 1 occurred as a result of action by the PTO. Claim 1 should be corrected to comport with Claim 1 as stipulated in the Supplemental Examiner's Amendment (Paper No. 05232005), dated June 3, 2005, attached hereto for reference. Also attached herewith are two copies of Form PTO 1050 on which the error is specified.

If the error is not deemed to be the result of PTO error, please charge the amount of \$100 (fee under 1.20(a)), and any additional fees which may be required by this or any other related paper, or credit any overpayment to Deposit Account No. 05-0840 to cover

12/28/2005 MGEBREM2 00000012 050840 6977077

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*JAN 05 2006*

the cost of this Certificate of Correction. An original and two copies of this Request are enclosed.

Respectfully submitted,



Thomas D. Webster, PhD, JD  
Attorney for Patentee  
Registration No. 39,872  
Phone: 317-276-3334

Eli Lilly and Company  
Patent Division  
P.O. Box 6288  
Indianapolis, Indiana 46206-6288

December 21, 2005

JAN 05 2006

JAN 18 2006

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO. : 6,977,077

DATED : December 20, 2005

INVENTOR(S) : Hock, Janet M. et al.

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 1 should read as follows:

1. A method for the treatment of osteoporosis in a human subject, comprising administering to said subject human parathyroid hormone (1-34) in a daily dose of 20  $\mu$ g, without concurrent administration of an antiresorptive agent other than vitamin D or calcium, said treatment for reducing the risk of vertebral and non-vertebral bone fracture.

MAILING ADDRESS OF SENDER:

PATENT NO. U.S. 6,977,077

JAN 05 2006

Serial No. 09/647,278

-2-

Eli Lilly and Company  
Patent Division  
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Indianapolis, Indiana 46206-6288

FORM PTO 1050

JAN 05 2006

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO. : 6,977,077  
DATED : December 20, 2005  
INVENTOR(S) : Hock, Janet M. et al.

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Claim 1 should read as follows:

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PATENT NO. U.S. 6,977,077

JAN 05 2006

Eli Lilly and Company  
Patent Division  
P.O. Box 6288  
Indianapolis, Indiana 46206-6288

FORM PTO 1050

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UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/647,278

09/26/2000

Janet M. Hock

X-11965

EXAMINER

Ruixiang Li

ART UNIT

PAPER

1646

05232005

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

During a telephone interview with Applicants' representative Thomas D. Webster on May 23, 2005, the limitation of claim 35, "wherin said vitamin D is not a hydroxylated vitamin D or hydroxylated vitamin D metabolite", was discussed. Applicants agreed to amend the claim to delete this limitation and to pay the issue fee within three months from the mailing date of the original notice of allowance, i.e. 05/11/2005 (see attached supplemental Examiner's amendment and telephone interview summary).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruixiang Li whose telephone number is (571) 272-0875. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Caputa, can be reached on (571) 272-0829. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please contact the Electronic Business Center (EBC) at the toll-free phone number 866-217-9197.

Ruixiang Li

Ruixiang Li  
Examiner  
May 23, 2005

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JAN 05 2006

**SUPPLEMENTAL EXAMINER'S AMENDMENT**

**Examiner's Amendment**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Thomas D. Webster on May 23, 2005.

Amendment to claim 35:

Claim 35 A method for the treatment of osteoporosis in a human subject, comprising administering to said subject human parathyroid hormone (1-34) in a daily dose of 20  $\mu$ g, without concurrent administration of an antiresorptive agent other than vitamin D or calcium, said treatment for reducing the risk of vertebral and non-vertebral bone fracture.

**Issue Fee**

During the telephone interview with Thomas D. Webster on May 23, 2005, Applicants also agreed to pay the issue fee and publication fee within three months from the mailing date of the original notice of allowance, i.e., 05/11/2005.

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IAN 05 2006

**Advisory Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruixiang Li whose telephone number is (571) 272-0875.

The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Caputa, can be reached on (571) 272-0961. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please contact the Electronic Business Center (EBC) at the toll-free phone number 866-217-9197.

*Ruixiang Li*

Ruixiang Li, Ph.D.  
Examiner  
May 23, 2005

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*JAN 05 2006*

<b>Examiner-Initiated Interview Summary</b>	Application No.	Applicant(s)
	09/647,278	HOCK ET AL.
	Examiner Ruixiang Li	Art Unit 1646

**All Participants:**

(1) Ruixiang Li.

**Status of Application:** \_\_\_\_\_

(3) \_\_\_\_\_.

(2) Thomas D. Webster.

(4) \_\_\_\_\_.

**Date of Interview:** 23 May 2005

**Time:** \_\_\_\_\_

**Type of Interview:**

Telephonic  
 Video Conference  
 Personal (Copy given to:  Applicant  Applicant's representative)

**Exhibit Shown or Demonstrated:**  Yes  No

If Yes, provide a brief description:

**Part I.**

Rejection(s) discussed:

Claims discussed:

35

Prior art documents discussed:

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

See Continuation Sheet

**Part III.**

It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
 It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Ruixiang Li

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The limitation of claim 35, "wherein said vitamin D is not a hydroxylated vitamin D or hydroxylated vitamin D metabolite", was discussed. Applicants disagreed that this limitation introduces new matter. Nonetheless, Applicants agreed to amend the claim to delete this limitation. Applicant also agreed to pay the issue fee and publication fee within three months from the mailing date of the notice of allowance, i.e. 05/11/2005.

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**JAN 05 2006**